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26. Geo. II c. 26

An ACT *to Diſſolve the Marriage of* John Ennever, *Gentleman, with* Mary Cornwell, *his now Wife; and to Enable him to marry again; and for other Purpoſes therein mentioned.*

HUMBLY Sheweth, and Complaineth, to Your moſt Excellent MAJESTY, Your true and faithful Subject *John Ennever*, of *South Ockendon*, in the County of *Eſſex*, Gentleman;

THAT Your ſaid Subject, on the Fourth Day of *March* in the Year One thouſand Seven hundred and Thirty-five, was married at *Mercers* Chapel, in the City of *London*, to *Mary Cornwell*, of *Coggeſhall*, in the ſaid County of *Eſſex*, Spinſter; who lived and cohabited with Your ſaid Subject till the Sixteenth Day of *Auguſt* One thouſand Seven hundred and Fifty, or thereabouts; before which time ſhe entered into an unlawful Familiarity, and carried on an Adulterous Converſation, with *Jonathan Harvey*, then a Servant to Your ſaid Subject; and ſhe hath, at divers times ſince, carried on the like unlawful Familiarity, and Adulterous Converſation, with the ſaid *Jonathan Harvey*; and Your ſaid Subject, ſince ſuch his ſaid Wife's Elopement, hath never converſed, or had any Intercourſe, with her:

THAT

THAT Your ſaid Subject, on the Twenty-eighth Day of *February* laſt, did obtain, in the Conſiſtory-Court of the Biſhop of *London*, a definitive Sentence of Divorce from Bed and Board with his ſaid Wife, for Adultery with the ſaid *Jonathan Harvey*; and Your ſaid Subject's ſaid Wife hath, by her Adulterous Behaviour, diſſolved the Bond of Marriage on her Part; and Your ſaid Subject now ſtands deprived of the Comforts of Matrimony, and will be liable to have a ſpurious Iſſue impoſed upon him, unleſs the ſaid Marriage be declared void, and annulled, by Parliament:

May it therefore pleaſe Your moſt Excellent MAJESTY,

(out of Your Princely Goodneſs and Compaſſion to Your ſaid Subject's Misfortune and Calamity), That it may be **Enacted**; **And be it Enacted**, by the KING's moſt Excellent MAJESTY, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Bond of Matrimony, being violated and broken by the manifeſt and open Adultery of the ſaid *Mary*, be, and is from henceforth, wholly diſſolved, annulled, vacated, and made void, to all Intents, Conſtructions, and Purpoſes whatſoever; and that it ſhall and may be lawful to and for the ſaid *John Ennever*, at any time or times hereafter, to contract Matrimony, and to marry (as well in the Lifetime of the ſaid *Mary*, as if ſhe were naturally dead), with any other Woman or Women, with whom he might lawfully marry, in caſe the ſaid *Mary* was not living; and that ſuch Matrimony, when had and celebrated, ſhall be a good, juſt, and lawful Marriage and Marriages; and ſo ſhall be adjudged, deemed, and taken, to all Intents, Conſtructions, and Purpoſes; and that all and every Child and Children, born in ſuch Matrimony, ſhall be deemed, adjudged, and taken, to be born in Wedlock, and be legitimate, and inheritable to, and ſhall inherit, the Lands, Tenements, and Hereditaments, of the ſaid *John Ennever*, and all other Lands, Tenements, and Hereditaments, from and by their Father's, Mother's, and other Anceſtors, in like Manner and Form as any other Child or Children, born in lawful Matrimony, ſhall or may inherit, or be inheritable unto, according to the Courſe of Inheritances uſed in this Realm, or in any of his Majeſty's Dominions thereunto belonging; and to have and enjoy all Privileges, Preeminences, Benefits, Advantages, Claims, and Demands, in as full and ample manner as any other Child or Children, born in lawful Wedlock, may have or claim by the Laws or Cuſtoms of this Realm, or any of his Majeſty's Dominions thereunto belonging.

And be it further Enacted, That the ſaid *John Ennever* ſhall be intitled to be the Tenant, by the Courteſy, of Lands and Inheritances of ſuch Wife or Wives as he ſhall ſo marry; and ſuch Wife or Wives as he ſhall ſo marry, ſhall be intitled to Dower of the Lands and Tenements whereof the ſaid *John Ennever* ſhall be ſeiſed, of ſuch Eſtate whereof ſhe or they ſhall be dowable, as any other Husband or Wife reſpectively may or might claim, have or enjoy; and the Child or Children, born in ſuch Marriage or Marriages, ſhall and may derive and make Title, by Deſcent or otherwiſe, to and from any of their Anceſtors, as any other Child or Children may do; any Law, Statute, Reſtraint, Prohibition, Ordinance, Canon, Conſtitution, Preſcription, or Cuſtoms, had, made, executed, or uſed, to the contrary of the Premiſes, or any of them, in any-wiſe notwithſtanding.

And be it further Enacted and Declared, by the Authority aforeſaid, That all and every Child or Children, as well Male as Female, which, at any time ſince the laſt Day of *Auguſt* One thouſand Seven hundred and Fifty-one, hath or have been born of the Body of the ſaid *Mary*, Wife of the ſaid *John Ennever* (if any ſuch there be), are Baſtards, and ſpurious Iſſue, and not the lawful Iſſue of the ſaid *John Ennever*, on the Body of the ſaid *Mary* his Wife begotten; and that no ſuch Child, ſo born ſince the laſt Day of *Auguſt* One thouſand Seven hundred and Fifty-one, nor any other Child or Children which hereafter ſhall be born of the Body of the ſaid *Mary*, now the Wife of the ſaid *John Ennever*, ſhall be deemed, taken, or reputed to be, the lawful Iſſue of the ſaid *John Ennever*, on the Body of the ſaid *Mary* begotten.

And be it further Enacted, by the Authority aforeſaid, That the ſaid *Mary* ſhall be, and is hereby, barred and excluded of and from all Dower and Thirds, and of and from all Right and Title of Dower and Thirds, or other Claim and Demand, in, to, or out of, the Lands, Tenements, or Hereditaments, of the ſaid *John Ennever*.

Provided, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to vacate or deſtroy any Proviſion made for the Maintenance, Support, or Benefit, of the ſaid *Mary*.

An ACT *to Dissolve the Marriage of* John Ennever, *Gentleman, with* Mary Cornwell, *his now Wife; and to Enable him to marry again; and for other Purposes therein mentioned.*